

AMENDED IN ASSEMBLY MAY 27, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2892**

---

**Introduced by Committee on Environmental Safety and Toxic  
Materials (Assembly Members Alejo (Chair), ~~Gonzalez, McCarty,~~  
and ~~Ting Arambula, Lopez, and McCarty~~)**  
*(Coauthor: Assembly Member Ting)*

February 29, 2016

---

An act to amend Section 105206 of the Health and Safety Code,  
relating to pesticide poisoning.

LEGISLATIVE COUNSEL'S DIGEST

AB 2892, as amended, Committee on Environmental Safety and  
Toxic Materials. Pesticide poisoning.

Existing law, until January 1, 2017, requires, among other things, any  
laboratory that performs cholinesterase testing on human blood for an  
employer to enable the employer to satisfy his or her responsibilities  
for medical supervision of his or her employees who regularly handle  
pesticides pursuant to specified regulations or to respond to alleged  
exposure to cholinesterase inhibitors or known exposure to the inhibitors  
that resulted in illness, to electronically report specified information in  
its possession on every person tested to the Department of Pesticide  
Regulation, which would be required to share the information in an  
electronic format with the Office of Environmental Health Hazard  
Assessment (OEHHA) and the State Department of Public Health on  
an ongoing basis, as specified.

This bill would extend these provisions until January 1, 2019.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 105206 of the Health and Safety Code is amended to read:

105206. (a) A laboratory that performs cholinesterase testing on human blood drawn in California for an employer to enable the employer to satisfy his or her responsibilities for medical supervision of his or her employees who regularly handle pesticides pursuant to Section 6728 of Title 3 of the California Code of Regulations or to respond to alleged exposure to cholinesterase inhibitors or known exposure to cholinesterase inhibitors that resulted in illness shall report the information specified in subdivision (b) to the Department of Pesticide Regulation. Reports shall be submitted to the Department of Pesticide Regulation on, at a minimum, a monthly basis. For the purpose of meeting the requirements in subdivision (d), the reports shall be submitted via electronic media and formatted in a manner approved by the director. The Department of Pesticide Regulation shall share information from cholinesterase reports with the Office of Environmental Health Hazard Assessment (OEHHA) and the State Department of Public Health on an ongoing basis, in an electronic format, for the purpose of meeting the requirements of subdivisions (e) and (f).

(b) The testing laboratory shall report all of the following information in its possession in complying with subdivision (a):

(1) The test results in International Units per milliliter of sample (IU/mL).

(2) The purpose of the test, including baseline or other periodic testing, pursuant to the requirements of Section 6728 of Title 3 of the California Code of Regulations, or evaluation of suspected pesticide illness.

(3) The name of the person tested.

(4) The date of birth of the person tested.

(5) The name, address, and telephone number of the health care provider or medical supervisor who ordered the analysis.

(6) The name, address, and telephone number of the analyzing laboratory.

(7) The accession number of the specimen.

(8) The date that the sample was collected from the ~~patient~~ *person* and the date the result was reported.

1 (9) Contact information for the person tested and his or her  
2 employer, if known and readily available.

3 (c) The medical supervisor ordering the test for a person  
4 pursuant to subdivision (a) shall note in the test order the purpose  
5 of the test, pursuant to paragraph (2) of subdivision (b), and ensure  
6 that the person tested receives a copy of the cholinesterase test  
7 results and any recommendations from the medical supervisor  
8 within 14 days of the medical supervisor receiving the results.

9 (d) All information reported pursuant to this section shall be  
10 confidential, as provided in Section 100330, except that the  
11 OEHHA, the Department of Pesticide Regulation, and the State  
12 Department of Public Health may share the information for the  
13 purpose of surveillance, case management, investigation,  
14 environmental remediation, or abatement with the appropriate  
15 county agricultural commissioner and local health officer.

16 (e) The OEHHA shall review the cholinesterase test results and  
17 may provide an appropriate medical or toxicological consultation  
18 to the medical supervisor. In addition to the duties performed  
19 pursuant to Section 105210, the OEHHA, in consultation with the  
20 Department of Pesticide Regulation and the local health officer,  
21 may provide medical and toxicological consultation, as appropriate,  
22 to the county agricultural commissioner to address medical issues  
23 related to the investigation of cholinesterase inhibitor-related  
24 illness.

25 (f) By December 31, 2015, the Department of Pesticide  
26 Regulation and the OEHHA, in consultation with the State  
27 Department of Public Health, shall prepare a report on the  
28 effectiveness of the medical supervision program and the utility  
29 of laboratory-based reporting of cholinesterase testing for illness  
30 surveillance and prevention. The joint report may include  
31 recommendations to the Legislature that the Department of  
32 Pesticide Regulation and the OEHHA deem necessary. The  
33 Department of Pesticide Regulation and the OEHHA shall make  
34 the report publicly available on their Internet Web sites.

35 (g) This section shall remain in effect only until January 1, 2019,  
36 and as of that date is repealed, unless a later enacted statute, that  
37 is enacted before January 1, 2019, deletes or extends that date.

O